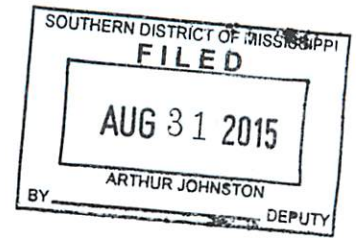


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION



Leanitra Wadley

Plaintiffs

v.

No. 3:15-cv-638 HTW-LRA

Specialty Healthcare, Inc. and Kakeyla Manning

Defendants

COMPLAINT

The plaintiff Leanitra Wadley files this suit against Specialty Healthcare, Inc. and Kakeyla Maning for violations of the overtime provisions of the Fair Labor Standards Act ("FLSA"). 29 U.S.C. § 201 *et. seq.*

Jurisdiction

1. This Court has jurisdiction over this matter pursuant to 29 U.S.C. § 1331.

Venue

2. Venue is proper is this Court pursuant to 28 U.S.C. § 1391(b)(1).

Parties

3. The plaintiff is a resident of Jackson, Mississippi. She was an employee of the defendants as defined by the FLSA. 29 USC § 203(d).

4. The defendant Specialty Healthcare, Inc. is an employer as defined by the Fair Labor Standards Act. It is registered to do business in Mississippi. Process can be served on Kakeyla Manning, 573 Hwy 51 B #B, Ridgeland, MS 39157.

5. The defendant, Kekeyla Manning, is an officer, director, and president of Specialty Healthcare, Inc. and therefore is also an employer of the plaintiff as defined by the FLSA.

JURY TRIAL REQUESTED

Facts

6. The defendant is engaged in the business of providing skilled nursing care to people in their homes.

7. The plaintiff Leanitra Wadley was hired by the defendants to work as a nurse on or about May 18, 2012. She is still employed by the defendants. She was initially paid \$16 an hour. She was later raised to \$16.50 an hour, and finally raised to \$17 an hour.

8. The plaintiff regularly works 48 hours per week and sometimes works 60 hours a week. She is paid straight time for all hours worked.

9. The plaintiff is a non-exempt employee under the FLSA and is entitled to 1½ times her regular rate for all hours worked over 40 in each work week.

10. The defendants did not pay the plaintiffs 1½ times their regular rate for all hours worked over 40 in any workweek.

11. The defendants' violations of the overtime provisions of the FLSA were willful and intentional. The plaintiff had complained about not getting overtime. The defendants gave several excuses, including the claims that (1) she said that because Medicare would not reimburse the defendant's overtime she could not pay the employees overtime and (2) the plaintiff is an independent contractor. These excuses were an attempt to mask the intentional violations of the FLSA.

Violations of Law

12. The defendants failed to pay the plaintiffs 1½ times their regular rate for overtime hours.

Request for Relief

13. The plaintiffs request overtime compensation in an amount to be determined at trial.

14. The plaintiffs request an equal amount in liquidated damages, prejudgment interest, costs plus reasonable legal fees.

Dated: August 31, 2015.

Respectfully submitted,

A handwritten signature in blue ink that reads "Mike Farrell". The signature is fluid and cursive, with the first name "Mike" and last name "Farrell" clearly distinguishable.

Mike Farrell (MSB #5147)
Mike Farrell, PLLC
Regions Plaza, Suite 2180
210 E. Capital Street
Jackson, MS 39201
Tel: 601-948-8030
Fax: 601-948-8032
mike@farrell-law.net